

BEFORE THE  
POSTAL REGULATORY COMMISSION

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Periodic Reporting  
(Proposal Thirteen)

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**Docket No. RM2015-7**

**UNITED PARCEL SERVICE, INC.'S MOTION FOR  
EXTENSION OF TIME TO FILE REPLY COMMENTS  
AND FOR OTHER RELIEF  
(June 30, 2015)**

Pursuant to 39 C.F.R. 3001.21, United Parcel Service, Inc. ("UPS") respectfully makes the following three requests in connection with this docket. First, UPS moves the Commission to extend the deadline for the filing of reply comments in this proceeding by one week. Second, UPS asks the Commission to extend the same non-public access granted previously to its outside counsel and consultants to three additional outside consultants who will be assisting UPS in this matter. Finally, UPS asks the Commission to direct that UPS's outside counsel and consultants who have signed protective conditions be given immediate access (*i.e.*, on July 8, 2015) to the non-public materials that Amazon will be filing with the Commission on July 8, 2015.

**I. EXTENSION OF TIME**

In Order No. 2455, the Commission set the current procedural schedule, directing UPS to submit a supplemental report and allowing initial and reply comments to this report on July 8 and July 15, 2015, respectively. Order No. 2455 at 12 (Apr. 23, 2015). This adjustment of the schedule followed two previous extensions of time: (1) the Public Representative requested, and the Commission granted, a one-week extension for filing comments, due to other demands and one-and-a-half days of

weather-related disruptions;<sup>1</sup> and (2) the Postal Service requested, and the Commission granted, an additional three business days to respond to UPS's motion for issuance of an information request, because of other demands and because its lead expert was out of the country.<sup>2</sup> UPS did not object to either motion for extension of time.

The Postal Service and Amazon – the other party to whom the Commission has granted non-public access to Postal Service data – have recently informed UPS that they each will be filing substantive comments on July 8, 2015, and will also be lodging materials with the Commission that contain quantitative, econometric analyses by their experts. UPS anticipates that these filings will be extensive and complex.

UPS respectfully submits that it would not be feasible for UPS counsel and its experts to conduct a meaningful review of both of these filings and analyses and to prepare responses within one week. UPS recognizes that the Commission wishes to move this docket forward, but submits that the Commission and the public will benefit by giving UPS a short extension in light of these developments.<sup>3</sup> Accordingly, UPS respectfully requests that the Commission extend the time for the filing of reply comments from July 15 to July 22, 2015. UPS does not believe the requested extension of time will prejudice the interests of any party to this proceeding.<sup>4</sup>

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<sup>1</sup> Order No. 2389 at 1-2 (Mar. 11, 2015); *see also* Public Representative Motion for Extension of Time to File Comments (Mar. 9, 2015).

<sup>2</sup> Order No. 2412 at 2 (Mar. 25, 2015); *see also* Request of the United States Postal Service for Extension of Time to Respond to UPS Motion Regarding Issuance of an Information Request at 1 (Mar. 23, 2015).

<sup>3</sup> In addition, UPS's lead counsel will be on a family vacation from July 7 to July 13, 2015.

<sup>4</sup> In the event the Commission will not grant the request for one additional week, UPS respectfully requests three additional business days to file its reply comments.

## **II. EXTENSION OF NON-PUBLIC ACCESS**

UPS moves to extend the same non-public access granted previously to its outside counsel and consultants in Order No. 2363 (Feb. 24, 2015) to three additional outside consultants who will be assisting UPS in this matter: Dan Luo, Weichen Zhao, and Angela Lam – all colleagues of Dr. Kevin Neels at The Brattle Group. Each of these outside consultants have signed the same standard protective conditions as UPS's current outside consultants and counsel, see Exhibit A, and will abide by the same terms and conditions.

## **III. IMMEDIATE ACCESS TO AMAZON MATERIALS**

Finally, Amazon has informed UPS that it intends to file on July 8, 2015 one or more non-public library references that include Postal Service data to which the Commission has previously granted outside counsel and consultants of UPS access. To facilitate UPS's prompt review of Amazon's econometric work, UPS requests that the Commission order that UPS's outside counsel and consultants that have signed protective conditions shall have immediate access to these library references as soon as they are filed, without the need for a post-filing order from the Commission. Amazon has informed UPS that it has no objection to this request.

## **CONCLUSION**

For the foregoing reasons, UPS respectfully requests that (1) the deadline for filing reply comments be extended from July 15 to July 22, 2015; (2) Dan Luo, Weichen Zhao, and Angela Lam be given the same access as the UPS outside counsel and consultants to whom the Commission has already granted access; and (3) the

Commission grant UPS's outside counsel and consultants who have signed protective conditions access to non-public library references filed by Amazon on July 8.

Respectfully submitted,

UNITED PARCEL SERVICE, INC.,

By: /s/ Steig D. Olson\_\_\_\_\_

Steig D. Olson  
Quinn Emanuel Urquhart & Sullivan, LLP  
51 Madison Ave., 22<sup>nd</sup> Floor  
New York, NY 10010  
(212) 849-7152  
steigolson@quinnemanuel.com

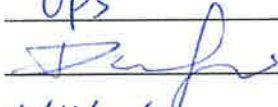
***Attorney for UPS***

# **Exhibit A**

CERTIFICATION

The undersigned represents that:

Access to these materials provided in the matter identified as Commission Docket No. RM2015-7 by the Postal Service has been authorized by the Commission. The cover or label of the copy obtained is marked with my name. I agree to use the information only for purposes of analyzing matters at issue in the matter identified as Commission Docket No. RM2015-7. I certify that I have read and understand the above protective conditions and am eligible to receive access to materials under paragraph 1 of the protective conditions. I further agree to comply with all protective conditions and will maintain these materials in strict confidence in accordance with all of the protective conditions set out above.

Name	<u>Dan Luo</u>
Firm	<u>The Brattle Group</u>
Title	<u>Associate</u>
Representing	<u>UPS</u>
Signature	<u></u>
Date	<u>5/11/2015</u>

CERTIFICATION

The undersigned represents that:

Access to these materials provided in the matter identified as Commission Docket No. RM2015-7 by the Postal Service has been authorized by the Commission. The cover or label of the copy obtained is marked with my name. I agree to use the information only for purposes of analyzing matters at issue in the matter identified as Commission Docket No. RM2015-7. I certify that I have read and understand the above protective conditions and am eligible to receive access to materials under paragraph 1 of the protective conditions. I further agree to comply with all protective conditions and will maintain these materials in strict confidence in accordance with all of the protective conditions set out above.

Name	<u>Weichen Zhao</u>
Firm	<u>Brattle Group</u>
Title	<u>Research Analyst</u>
Representing	<u>UPS</u>
Signature	<u>Weichen Zhao</u>
Date	<u>6/24/2015</u>

CERTIFICATION

The undersigned represents that:

Access to these materials provided in the matter identified as Commission Docket No. RM2015-7 by the Postal Service has been authorized by the Commission. The cover or label of the copy obtained is marked with my name. I agree to use the information only for purposes of analyzing matters at issue in the matter identified as Commission Docket No. RM2015-7. I certify that I have read and understand the above protective conditions and am eligible to receive access to materials under paragraph 1 of the protective conditions. I further agree to comply with all protective conditions and will maintain these materials in strict confidence in accordance with all of the protective conditions set out above.

Name	Angela Lam
Firm	The Brattle group
Title	Research Analyst Intern
Representing	UPS
Signature	Angela Lam
Date	6/24/15